

FARAD CONTINUATION SHEET.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.
CIVIL APPLICATION No. 2889/2004.
IN
FIRST APPEAL No. 2016 of 2006.

Office Notes, Office
Memorandum of Coram
appearance, Court's
Orders & Directions
and Registrar's
Order.

Court or Judge's Order.

Rajesh Gehani, advocate for
Appellant.

H.V. Mehta, Advocate for
Respondent.

CORAM: S.B.DESHMUKH,J.
DATED: 18.9.2006.

P.C.:-

1] Heard the learned Counsel for
the Parties.

2] The Applicant is seeking stay
to the Judgment and order passed by
the Trial Court in Application (ESI)
No. 158 of 1988 dated 13th April,
2004. After hearing the Parties, the
Appeal filed on behalf of the
Applicant/Appellant is admitted by
this Court. The learned Counsel for
the Respondent has invited my
attention to the finding of the Trial

Court in para 14 of the Judgment of
the Trial Court.

3] Having heard the learned
Counsel for the Parties, in my view,
the judgment and order passed by the
Trial Court can be stayed during the
pendency of this Appeal on condition
that the Applicant shall deposit
amount of Rs.50,000/- in this Court
within a period of eight weeks from
today.

4] In the result, Civil
Application is partly allowed in
terms of prayer clause 7(a) subject
to condition that the Applicant shall
deposit an amount of Rs.50,000/- in
this Court within a period of eight
weeks from today. In case of
failure on the part of the Applicant
to deposit an amount of Rs. 50,000/-
in this Court within stipulated
period of time, stay granted by this
Court shall stand vacated without
reference to this Court.

5] On deposit of an amount of Rs.
50,000/-by the Applicant,in this
Court, as aforesaid, liberty is
granted in favour of the Respondents
to seek withdrawal of the amount by
appropriate Civil Application.

[S.B.DESHMUKH,J.]